

01-23-02

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PATENTS, TRADEMARKS, COPYRIGHTS

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10/053245
01/15/02

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01/15/02

BARRY R. LIPSITZ
GLAS M. McALLISTER

BOX PATENT APPLICATION

Commissioner for Patents
Washington, D.C. 20231

**REQUEST FOR FILING A CONTINUATION OR DIVISION
OF AN INTERNATIONAL APPLICATION**

Sir:

This is a request for filing a *continuation* application under 37 C.F.R. 1.53(b), of pending prior international application number PCT/EP00/06126 filed on June 30, 2000 which designated the United States.

Inventor(s):

Gebhard Herrmann whose address is **Dellenweg 7, DE-78597 Irndorf, Germany**
and whose citizenship is: **Germany**

Markus Nesper whose address is **Rotestrasse 23, DE-78532 Tuttlingen, Germany**
and whose citizenship is: **Germany**

Dieter Weisshaupt whose address is **Bachzimmerer Oesch 10, DE-78194 Immendingen, Germany**
and whose citizenship is: **Germany**

Title: **SURGICAL CLIP**

APPLICATION ELEMENTS:

- (1) ☒ Patent Application Specification, including Abstract and claims - 17 pages
- (2) ☒ Two (2) sheet(s) of formal drawings, together with transmittal letter
- (3) ☐ A check in the amount of \$_____ to cover the ☐ filing fee(\$.00)
and/or ☐ Assignment Recordal Fee (\$_____) is enclosed.
- ☐ Before calculating the fee, cancel claim(s)
- ☐ Before calculating the fee, see copy of Preliminary Amendment filed.

Basic Fee								\$	740.00
Multiple Dependent Claims (\$260.)									
Foreign Language Surcharge (\$130.)									
	For	No. Filed	-	No. Extra		Rate			
EXTRA	Total Claims	23	20	3	x	\$18.	=	\$.00
CLAIMS	Independent Claims	1	3	0	x	\$84.	=	\$.00
TOTAL FILING FEE								=	\$.00

- (4) ☐ Declaration and Power of Attorney form
- a. ☐ Newly executed
- b. ☐ Copy from a prior application
- c. ☐ Deletion of inventor(s) – signed statement attached deleting inventor(s) named in the prior application.
- (5) ☐ Small Entity Status

ACCOMPANYING APPLICATION PARTS:

- (6) ☐ Assignment document
- a. ☐ Newly executed (with \$40.00 recordal fee) and separate transmittal Form PTO-1595
- b. ☐ Copy from a prior application
- c. ☐ Please include assignee information when this application is published
- Assignee:**
- (7) ☐ Preliminary Amendment
- (8) ☒ Certified Copy of Priority Document, together with separate transmittal letter
- (9) ☒ Information Disclosure Statement, together with PTO Form 1449 and copies of cited references
- (10) ☒ Return receipt postage prepaid postcard
- (11) ☒ Express Mail Certificate (Mailing Label No. **EV 046687078 US**)
- (12) ☒ Patent Application Data Entry Form
- (13) ☐ Other:

- (14) [X] Please amend the specification by inserting before the first line the sentence:

**"This application is a continuation of international application number
PCT/EP00/06126 filed on June 30, 2000."**

- (15) [X] This application claims the benefit of German Patent Application
No. 199 35 418.9 filed July 28, 1999.

- (16) [X] Correspondence address:

**Barry R. Lipsitz
Law Offices of Barry R. Lipsitz
755 Main Street, Building 8
Monroe, CT 06468
Telephone: (203) 459-0200**

- (17) [X] Pursuant to the provisions of 37 C.F.R. Sections 1.10 and 1.53, Applicants
respectfully request that this application be assigned a serial number and a filing
date of January 15, 2002, the date upon which the application was mailed to the
Patent and Trademark Office by Express Mail (No. EV 046687078 US).

Respectfully submitted,



Barry R. Lipsitz
Attorney for Applicant(s)
Registration No. 28,637
755 Main Street, Bldg. 8
Monroe, CT 06468
(203) 459-0200

**ATTORNEY DOCKET NO.: HOE-670
Date: January 15, 2002**

205710 "CHIEF" 100544-0150

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Herrmann et al.)
Filed: Herewith)
For: **SURGICAL CLIP**)

EXPRESS MAIL CERTIFICATE

BOX PATENT APPLICATION

**Commissioner for Patents
Washington, D.C. 20231**

"Express Mail" mailing label number **EV 046687078 US**

Date of Deposit: **January 15, 2002**

I hereby certify that the attached:

- ☒ Return receipt postage prepaid postcard;
- ☒ Transmittal Letter (Request for Filing a Continuation or Division of an International Application), with attachment - 3 pages total;
- ☒ Patent Application Data Entry form;
- ☒ Patent Application Specification including Abstract and Claims (17 pages);
- ☒ Two (2) sheets of formal drawings, together with transmittal letter;
- ☒ Certified copy of priority document (German patent application no. 199 35 418.9), together with transmittal letter;
- ☒ Information Disclosure Statement, together with Form PTO-1449, International Search Report for International patent application PCT/EP00/06126 and copies of cited documents.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 and 1.53 on the date indicated above and is addressed to: **BOX PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231**

Carol Prentice

(Typed or printed name of person mailing paper or fee)

Carol Prentice

(Signature of person mailing paper or fee)

Respectfully submitted,

B4

Date: **January 15, 2002**

ATTORNEY DOCKET NO.: **HOE-670**

Barry R. Lipsitz
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P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Herrmann et al.

Application No.:

Filed: Herewith

For: **SURGICAL CLIP**

DRAWING REVIEW BRANCH

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (No. EV 046687078 US) addressed to BOX PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231 on January 15, 2002.

By:

Carol Prentice
Carol Prentice

TRANSMITTAL OF FORMAL DRAWINGS

Dear Sir:

Enclosed are two (2) sheets of formal drawings for filing in the above-referenced patent application.

Please advise the undersigned attorney if correction is necessary.

Respectfully submitted,

Barry R. Lipsitz

Barry R. Lipsitz
Attorney for Applicant(s)
Registration No. 28,637
755 Main Street, Building 8
Monroe, CT 06468
(203) 459-0200

Date: January 15, 2002

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